

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NICHOLAS J. WILLING,

Plaintiff,

v.

STATE OF NEVADA,

Defendant.

Case No. 2:22-cv-00733-APG-DJA

ORDER

[ECF Nos. 11, 16, 17, 18, 19]

Plaintiff Nicholas Willing has filed motions to change venue (ECF No. 11), for default and default judgment (ECF No. 16), to disqualify all judges in this district (ECF No. 18), and for reconsideration of my prior orders (ECF No. 19). I deny those motions.

On October 12, 2022, Magistrate Judge Albregts recommended that I deny Willing's motion to change venue. ECF No. 17. Willing filed an objection to that recommendation. ECF No. 20. I have conducted a de novo review of the issues set forth in the Report and Recommendation under Local Rule IB 3-2. Judge Albregts' Report and Recommendation sets forth the proper legal analysis and the factual basis for the decision, and I accept and adopt it as my own. I deny the motion to change venue.

Willing's motion for default judgment (ECF No. 16) is his second in this case. I denied his previous motion because Willing had not yet served the complaint and summons on the State of Nevada. ECF No. 10. He still has not done so, and his present motion does not address that problem. I therefore deny his motion. Willing must properly serve a summons and the complaint upon the State of Nevada before seeking entry of default and default judgment.

Willing's motion to disqualify all judges in this district (EDF No. 18) makes the same arguments as his motion to change venue (ECF No. 11). Judge Albregts correctly rejected those

1 arguments when recommending that I deny the motion to change venue. I accepted his
2 recommendation and I likewise deny the motion to disqualify.

3 Willing's motion for reconsideration (ECF No. 19) is his second in this case. He now
4 asks that I reconsider my order denying his first motion for reconsideration. As with his prior
5 motion, the present motion fails to offer sufficient reasons for me to reconsider my earlier
6 decisions. I therefore decline to do so, again.

7 I THEREFORE ORDER that Judge Albregts' Report and Recommendation (ECF No.
8 **17) is accepted.**

9 I FURTHER ORDER that Willing's motions (ECF Nos. 11, 16, 18, and 19) are
10 **DENIED.**

11 DATED THIS 24th day of October, 2022.



UNITED STATES DISTRICT JUDGE